G. R. S. IX-5]

Previous references.

Sp. M-19-n, 26 & 62
" 228-18-142 & 64
" 52-14-1, 14, 16, 19 to 22 CB)

1922

File No. 107-22
Serial Nos. 1 to 3

Later references.

CB 107-22-645
CB 107-22-658
CB 59-23-142
CB 69-23-596

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 3

Part B for Dec 1922

SUBJECT.

Re Retirement of Dr. S. Krishnaswamy Iyengar from the Mysore Service.

Do No. 3568 dt 8-12-1922

To
Rao Sahib Dr. S.K. Iyengar,
Nylapore,
Madras.

States that the Concession entitling an Officer to the full pension after 25 Yrs' Service is accorded only to the Officers mentioned in App. A. M.S.R & that Govt. regret that his request for the Condonation of a deficiency of 2 Yrs' Service is inadmissible under the rules.

WD 1888—GPB—16,826—23-7-21

Attested
Mysore

G. R. S. III-2]

General and Revenue Secretariat.

C. B. File No. 107 of 1922.

Serial No.	
1	From The Registrar, Mysore university, No 3473. B 18.10.22. States that Rao Sahib Dr. S. Krishnaswamiengar whose services are lent to the Madras university wants to know the amount of furlough and furlough allowances due to him under M.S.R, with a view to apply for 2 years furlough from 4th Sept 22 and retire at the end thereof and requests orders of Govt on certain points raised by the Comptroller. The Comptroller solicits orders of Govt on the following points :- 1) Whether the leave allowance should be governed by rule of proportions or not. 2) Salary on which the leave allowances are to be regulated. 3) Charges on account of privilege leave allowances to be borne by the Madras university. 4) Pensionary contribution during the entire period of leave. (Art. 409, M.S.R.). At present, Madras university are not paying any contribution towards leave allowances, but they are paying pensionary contribution. 5) Leave to have effect from the date on which Mr. Krishnaswamiengar quits duty in the Madras university + Proceeds on leave (Art. 422, M.S.R.). The period for which Mr. Krishnaswamiengar's services are lent to the Madras university will expire on 1.11.24 Submitted for orders. Govt pm/24.10.22.

S

V

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | C.B. File No. 107 of 1922. 1228

Serial No.

No Correspondence other questions raised about the possibility of Dr. S. K. Iyengar's Continuing in service under the Madras University, after obtaining furlough preparatory to retirement in the Imperial service. Probably this is what he intends. His original letter has not however been subd.

In such an event, no question of privilege leave ~~of Leave~~ ~~not arise~~ ~~but whether he can~~ ~~retain the Imperial Establishment~~

~~The question appears to be a novel one and it is also the matter~~

If Dr. S. K. Iyengar would, if furlough be granted under these conditions, probably have to cease to be treated as on foreign service, but will have to be treated as an Off on furlough allowed to take up other employment while on furlough.

Perhaps ~~in~~ under such an arrangement Dr Iyengar will be adversely affected as regards his future pension as the salary he draws in Madras in future will not be counted in calculating his

NOTE.—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | C.B File No. 107 of 1922 / 228

Serial No.

pension. Per contra, he will not pay pensionary Contribution ~~while on~~ while on furlough.

If approved, Dr. Iyengar's real intentions will be ascertained before proceeding further.

Dm
24/10

Accepted

A I don't think we need do so.

Full leave may be counted as the period passed by Dr. K. Iyengar does not pay any leave contributions. I doubt if we can pay him any furlough allowances.

by
25/10
Dm
26/10

Full leave

There is no provision in the Mysore Service Regulations for recovery of Contribution from the foreign employer on account of furlough. The Contribution now levied is on account of pension, and in return for this Contribution, Govt accept the charge for the officer's pension only.

It would therefore appear that

25 OCT 1922
641-22

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | C. B. File No. 107 of 1922.

Serial No.

Dr. S.K. Iyengar might be ~~allowed~~ given furlo admissible for the period of his Service in Mysore (excluding period of foreign Service) and furlo allces for such period calculated on the salary he would have drawn if he had continued in the Service of Govt instead of under foreign employment.

The Comptroller may be asked to calculate the period of furlo & allces thereon admissible, for Communication to the Dr. by the University

Mad 29/10/22

Fd 6 4-22

H Srey)

1. The answers to the questions raised by the Comptroller are as under:

(1) The leave allowances payable by the Mysore Government and the Madras University ~~is~~ are governed by the rule of proportions. Dr. Krishnaswamiengar pays contribution only for pension and his present employer has to bear the ~~xx~~ share of leave allowances corresponding to the service rendered to him by Dr. Krishnaswamiengar. Article 423 a.,...

does

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | C.B. File No. 16 of 1922

Serial No.

does not apply to this case. It is an arrangement of reciprocity between Local Bodies in Mysore and the Mysore Government. There is no such understanding between the University of Madras and the Government of Mysore.

(2) The leave allowances should be calculated on the pay to which he is entitled as Professor of History (supernumerary) in the University of Mysore. The privilege leave allowance will have to be paid by the University of Madras, as the total period of 4 months has been earned by Dr. Krishnaswamiengar in the period of service rendered to that Body. Pensionary contribution has also to be paid for the period of leave. He cannot, of course, be in the service of the University when he takes leave, nor can he get pension if he continues to be in service of that Body. He can ~~actually~~ actually retire or go on leave only when he quits duty under the foreign employer.

I think there is some difficulty in permitting him to return to Mysore service. The understanding on which he was given the grade of Rs.500-1,000 was that he was not to revert and ask for a place on that rate of pay.

18/11/22

(Chief Secty) / Secretary. C.Br. 20/11/22

Chief Secty

A. Govt. & pubn. branch

NOTE—Contn. sheet.

(6.

1228

G. R. S. III-2]

General and Revenue Secretariat.

C.B. File No. 107 of 1922

W

Serial No.

A. The collection containing G.O. no 65 23-4/GD^M 24-19-62 & 20.11.20 placing Mr. Krishnaswami Iyengar in grade 500-50-1000 as a nominal arrangement, is put up.

B. Draft reply is submitted on the lines of the Financial Secretary's note & 18.11.22.

A subsequent letter of Mr. Krishnaswami Iyengar about his retirement, with Financial Secretary's opinion, is placed in the file.

Submd.
27.11.22.

Chief Secy

28/11

NOTE—Contn. sheet.

WD 243—GPB—1,000—24-3-22

To 389

(7

REPLY

(*To be written on this margin.*)

Office of the Dewan of Mysore.

NOTE.

DIARY No. 1858

Dated..22nd.November..1922.

19 — 19

Section

File No.

Serial No.

Letter from Rao Saheb S.Krishnaswami Iyengar, Madras, in the matter of his retirement from the Mysore service.

****

1.) *Forwarded with compliments to the Financial Secretary to Government for favour of disposal.*

2.) Forwarded to the Chief Secty. I have returned the case with my opinion. No question of deficiency arises and Mr. K Iyengar's request for condonation of a deficiency of 2 years is not admissible. He is not right in assuming that an officer is entitled to full pension after rendering 25 years Service. This concession is special and is not allowed to all. If Mr. K Iyengar thinks of Continuing in the Service of the University after retiring from Mysore Service he can not retire from such Service at all until he finds service under that Body and

22.11.22

3.) Place on the file
pursuant to
Dept

G. R. S. III-2

General and Revenue Secretariat.

File No. 107 of 1922

Serial No.

Draft reply to the Regr is subd.

~~Perhaps it~~

Chrysedy. Bm 28/11

Approval

Opinion has been taken

Dewan

Draft submitted 28/11/22

Bm

3/12

Bm 1/12

DEWAN'S OFFICE.
Recd. on NOV 29 1922
Reg. No. 3147

Resubmit after issue of orders whether a reply to Dr S.K. is also necessary

Bm 1/12

To

2 The Registrar, Mysore University : Lr 3460 & 1.12.22

States that Dr. Krishnaswamiengar can retire or go on leave only when he actually quits duty in the Madras University & that privilege leave allowance has to be paid in the Madras university.

Resubmitted for orders whether a reply to Dr. S. Krishnaswamiengar on the lines of the Financial Secretary's noted dated 22.11.22 may be issued.

Draft. Bm 2.12.22.

Chrysedy. Bm 2/12

Yes. Draft please

4/12

Draft D.O. is submitted.

Draft Bm 4.12.22.

Chrysedy Bm 4/12

Issued 4/12

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat.

C. B. File No. 107 of 19 22 1228

Serial No.	
3	To Rao Sahib Dr. S. Krishnaswamiengar, D.O. No 3568 & 8. 12. 22. States that his request for condonation of 2 years' service is not admissible under the rules & that he cannot be permitted to retire unless he actually quits duty under the Madras University & that the Registrar, Mysore University, will write to him separately about the leave allowances etc admissible to him. No 3569 & 8. 12. 22 Forwards copy of the above to the Registrar, Mysore University.

B.

NOTE—Contn. sheet.

1922

C.B. 107-22-1.

No. 3473/one

Office of the Mysore University,

Dated Mysore, 18th October 1922.

CB 7228

GEN'L REC. SEC'T
19 OCT 1922

FROM

V. SUBRAHMANYA IYER, Esq., B.A.,
Registrar, Mysore University,
Mysore.

To

K. Matthan, Esq., B.A.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

Sir,

I am directed to state that Rao Sahib Dr. S. Krishnaswamiengar, M.A., Ph.D., whose services are lent to the Madras University having requested this Office to ascertain from the Comptroller the amount of furlough and furlough allowances due to him under M.S.R. with a view to apply for two years furlough from 4th September 1922 and retire at the end thereof i.e. from 4th September 1924 on which date he will be completing 30 years of service the Comptroller was addressed in the matter.

He, while furnishing the leave certificate showing that the Doctor is entitled to privilege leave for 4 months and furlough for 1 year and 8 months on 4th September 1922 intimates that there are no definite rules in the M.S.R. for the calculation of leave allowance during furlough to Officers on foreign service, and states that Government Orders are required on the

the following points:-

1. Whether the leave allowance in such cases should be governed by the rule of proportions in which case the University will have to bear a portion of the allowances viz., 4818/64995 ths. of the allowance ~~of~~ or whether article 423 (A) M.S.R. applies to all cases of foreign service in which case no contribution will have to be paid by this University for the period of furlough.

2. Whether the leave allowances are to be regulated on the salary drawn at present by the Officer or on the salary he would have drawn if he had continued in Mysore Service or on the salary actually drawn by him before he was transferred to the Madras University.

The Comptroller also adds that during the period of privilege leave the allowances are to be borne entirely by the Madras University as the leave has been earned entirely by service rendered in that University, that under Article 409 M.S.R. pensionary contribution will have to be paid during the entire period of leave calculated on the salary now drawn by him in the Madras University and that under Art. 422 M.S.R. the leave to be applied for by him will have effect only from the date he actually quits duty in the Madras University and proceeds on leave.

I am to request therefore that you will be so good as to obtain early orders of Government on the above points.

I am to add however that the Madras University are not paying any contribution towards Dr.Krishnaswamiengar's leave allowances but only pensionery contribution [redacted] their letter No.7684 dated the 5th November 1918 read in Government Order No. 3982-4/Edn.228-18-4 dated the 15th November 1918.

A copy of Comptroller's letter No.231/C.A.D. dated the 12th October 1922 is enclosed for the information of Government.

I have the honour to be,

Sir,

Your most obedient servant,

Registrar.

Letter No. 331/ G.A.D. dated the 12th October 1922 from the Comptroller to the Government of His Highness the Maharaja of Mysore, to the Registrar, Mysore University, Mysore.

With reference to your letter No. 3093 dated the 30th September 1922 regarding the leave that Dr. S.Krishnaswami Iyengar is entitled to on the 4th September 1922, I have the honour to state that he is entitled to privilege leave for four months and furlough for one year and eight months. A certificate to that effect is enclosed.

2. Ch. XXIII, Mysore Service Regulations does not prescribe the method of calculating the leave allowances of Officers on foregin service who are granted furlough. The intention appears to be that the leave allowances should in such cases be governed by the Rule of Proportions. The portions of the leave allowances to be borne from the Mysore University Funds and by the Madras University will therefore be in the ratio of the total salary drawn by the Officer while in the service of Mysore Government to that drawn in the service of the Madras University (i.e. Rs.4,818/- to Rs. 64,995/-) during 10 years ending with 3rd September 1922. If the provisions of Article 423(A) M.S.R. are held to be applicable to all cases of foreign service no contribution will have to be paid by the Mysore University for the period of furlough.

3. For the period of privilege leave, the leave allowances are to be borne entirely by the Madras University as the leave has been earned entirely by service rendered in that University.

4. Whether the leave allowances are to be regulated on the salary drawn at present by the Officer or on the salary he would have drawn if he had continued in service here or on the salary actually drawn by him before he was transferred to the Madras University is a matter that requires orders of Government.

5. As the officer will be entitled to pension on the net salary drawn by him under the foreign employer in accordance with article 409 M.S.R. he will have to contribute during the entire

entire period of leave, pensionary contribution calculated on the salary now drawn by him in the Madras University.

6. The leave applied for by the Officer will have effect only from the date he actually quits duty in the Madras University and proceeds on leave(vide Article 432, M.S.R.)

7. I request that orders of Government may be kindly obtained on the above points and that on receipt of Government Orders a final reply regarding the amount of leave that Dr. S. Krishnaswami Iyengar is entitled to and the conditions of grant of the leave applicable to his case may be intimated to him for necessary action.

'Copy'

Registrar.

Acknowledged. 22/11/1922.

5

Sri Venkatesa Vilas,
Nadu street,
Mylapore, Madras.
10th. Nov. 1922.

Dear sir,

In pursuance of the suggestion contained in your D.O. from camp asking me to obtain a certificate as to the furlough that I am entitled to and the allowance etc., I received about a week ago a certificate from the Comptroller that I am entitled to a combination leave of two years from the 4th of September last/onwards, of which 4 months may be privilege leave (on half-pay probably) and the remaining 20 months of furlough, in other words a maximum of two years leave in all. I am informed by the Registrar that the question of my furlough allowance has been referred to the Government for orders. I take it that the reference has already been made to the Government, and possibly it may be going in for orders presently. Rather than pass orders in regard to the allowance, and then pass orders in regard to my application for leave or retirement, it strikes me that the simpler and the better course for both the Government and myself would be to consider the two together and pass one order.

The question of my leave allowance, I could see, may be a doubtful point. The question of my pension is not. Under the foreign service rules, in accordance with which, my services were placed at the disposal of the Madras University I have to contribute 1/11th of the gross salary that I receive under my foreign employer as pension contribution, and I am entitled to a pension of half of my gross salary, minus the pension contribution. On the occasion of the renewal of the loan in 1919, the Comptroller informed the Registrar, Madras University, on a request from him that the contribution should be from time to time 1/10 th of the salary that I receive from the University and I shall then be entitled to just a half of the salary I should be receiving, subject to the maximum of Rs.5,000/- a year as

pension when I should become eligible for it, I am therefore entitled to a pension of Rs.5,000/- a year on the basis of the three years' average of my salary, as soon as I should complete my 30 years of service, i.e., with the 4th of September ~~xxxx~~ 1924. My present request is, since I am entitled to two years furlough on half my salary, at least morally if not technically, it may avoid a possible technical objection, if the government would make ~~up~~ their mind to put me on the retired list at once having regard to the two years' combined furlough and privilege leave, to which even according to the Comptroller I have a title. I took ~~it~~ it, the more ordinary course of a two years' leave and then retirement would be the more normal course of the two, but seeing that there is some kind of a technical difficulty in the way I shall be quite as agreeable if the government should condone the two years ~~for~~ the service and permit me to retire as from the 4th of September last.

I request the favour of your considering the question and advising me as to whether you would have me apply formally for the leave (1) with permission to retire at the end of the leave or (2) to apply for a retirement from the date of my completing the 28th year of service as after completing 25 years of service one is entitled to full pension, provided the government permits him to retire.

Thanking you in anticipation for the favour of an early reply,

Yours sincerely,

S. Krishnaswami Aiyangar

To

A.R. Bannerji Esqr., C.S.I., C.I.E., I.C.S.,

Dewan of Mysore,

Bangalore.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

*Diary No. of letter replied to*_____

General and Revenue Secretariat

( )

, the *191* .

Date of issue 1st Dec. 1922

Signed by Sd/- A. V. Ramanatha

Section C. B.

File No. 107-22

Serial No 2

No. 3460

To

The Registrar, Mysore University.

Sir,

With reference to your letter no 3473 & 18.10.22 requiring the questions raised by the Comptroller about the grant of furlough etc to Rao Sahib Dr. S. Krishnaswamiengar M.A., Ph.D., I am directed to state as follows:-

The leave allowances payable by the Mysore Govt and the Mysore University are governed by the rule of proportions. Dr. Krishnaswamiengar pays contribution only for pension

over.

and the Madras University has to bear the share of leave allowances corresponding to the service rendered to that Body by Dr. Krishnaswamiengar Art. 423.(A), M.S.R., which is an arrangement of reciprocity between Local Bodies in Mysore and the Mysore Govt does not apply to this case as there is no such understanding between the University of Madras and the Govt of Mysore:

The leave allowances should be calculated on the pay to which Dr. Krishnaswamiengar is entitled as Professor of History (supernumerary) in the University of Mysore. The privilege leave allowance will have to be paid by the University of Madras as the total period of 4 months has been earned by him in the period of service rendered to that Body. Pensionary contribution has also to be paid for the period of leave Dr. Krishnaswamiengar

List of enclosures.

Copied by

Examined by

G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

cannot ~~of course~~ be in the service of the Madras university when he takes leave, nor can he get pension if he continues to be in service of that Body. I am further to state that under Art. 422, M. S. R. I. Dr. Krishnaswami Aiyar can retire or go on leave only when he actually quits duty in the Madras university.

I have etc

28/11/22

Chief Secretary.

Bon
28/11

WE 2230—GPB—1,00,000—23-7-20

G. R. S. VI—G/32]

SUBJECT.....

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*Diary No. of letter replied to*_____

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 8/12/15

Signed by Mr. K. Seshadri.

Section C. B.

File No. 107 - 22

Serial No 3

D. O. No. 3547

To

Rao Sahib M. S. Krishnaswamiengar, M.A., B.L.,
Mysore, Mysore

Dear Sir,

With reference to your letter dated 10th Nov. 1922 addressed to the Dewan in the matter of your leave and retirement from the Mysore service, I am desired to state that the concession entitling an officer to get full pension after 25 years service is ~~given in special cases~~ accorded only to the officers mentioned in App. A. to the M. S. R. and that Govt regret that ~~it~~

over.

your request for condonation of a deficiency of 2 years' service is not admissible under the rules. I am further to point out that under Art 422 (a) S.R. you cannot ~~continue in the service of the Madras university either~~ retire from the Mysore Service or get leave until you actually quit duty under the Madras university. The Registrar Mysore university will write to you separately about the leave allowances etc admissible to you.

Yours sincerely,

Chief Secretary

8/12

Copy to Registrar, Mysore university for information.

By order,

8/12

for chief Secy

No: 3589/C3 &S.12.Gn

List of enclosures.

Copied by

Examined by